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REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

2291.2.10

In re Application of: Michael L. Howard

Application No.: 09/699,693

Filed: October 30, 2000

For: ELECTRONIC DEVICE THAT USES A PAGER NETWORK FOR REMOTE REPROGRAMMING OF
THE DEVICE

The owner*, emWare, Inc. of one hundred (100) percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,728,804. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney of record.

Signature

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4/11/2005

Date

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